



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

MICHIGAN BOARD OF NURSING HOME ADMINISTRATORS RULES COMMITTEE WORK GROUP MEETING

MINUTES FEBRUARY 17, 2023

The Michigan Board of Nursing Home Administrators Rules Committee Work Group, met on February 17, 2023. The meeting was held via Zoom.

CALL TO ORDER

Dena Marks, Departmental Specialist, called the meeting to order at 9:00 a.m.

ATTENDANCE

Members Present: Marie Patrick, RN, NHA
Dana Prince, NHA
Paul Pruitt, NHA

Members Absent: None

Staff Present: Dena Marks, Departmental Specialist, Boards and Committees Section
Stephanie Wysack, Board Support Technician,
Boards and Committees Section

Public Present: None

RULES DISCUSSION – Nursing Home Administrators – General Rules (A copy of the draft, pursuant to today’s discussion, is attached.)

Marks explained that the draft rules start by listing where the statutory authority can be found, allowing the board to create rules.

R 339.14001 Definitions.

Subdivision (1)(f): Marks stated that this subdivision was updated to reflect the most current edition.

The committee agreed with the language as presented.

R 339.14012 Approved course of instruction and training.

Subrule (b): Marks asked the committee if a bachelor's degree should be required to obtain licensure.

Discussion was held.

Marks will check the requirements in other states as well as follow up with the department, as the code states that they work in conjunction with the board.

R 339.14005 Accreditation standards; adoption by reference.

Marks stated that this rule was rescinded from Part 2. Education and moved to new Part 2. Education, Examinations, and Licensure, as R 339.14011.

The committee agreed with the language as presented.

R 339.14007 Approved course of instruction and training.

Marks stated that this rule was rescinded from Part 2. Education and moved to new Part 2. Education, Examinations, and Licensure, as R 339.14012.

The committee agreed with the language as presented.

R 339.14006 Training standards for identifying victims of human trafficking; requirements.

Marks stated that this rule was being moved to Part 1. General Provisions.

The committee agreed with the language as presented.

Part 3. Licensure

R 339.14008 Application for nursing home administrator license; requirements.

Marks stated that this rule was rescinded from Part 3. Licensure and moved to new Part 2. Education, Examinations, and Licensure, as R 339.14017 Application for initial nursing home administrator license; requirements.

The committee agreed with the language as presented.

R 339.14009 Eligibility for examinations.

Marks stated that this rule was rescinded from Part 3. Licensure and moved to new Part 2. Education, Examinations, and Licensure, as R 339.14014 Examination approval and adoption; passing score; limitations.

The committee agreed with the language as presented.

Part 2. Education.

Marks stated that the title of this section changed to Education, Examinations, and Licensure for organization purposes.

The committee agreed with the language as presented.

R 339.14011 Accreditation standards; adoption by reference.

Marks stated that the rules was updated with the most current standards.

The committee agreed with the language as presented.

R 339.14014 Examination approval and adoption; passing score; limitations.

Subrule (3): Marks stated that this subrule was added in order to allow an applicant to retake the examination. Retakes will be allowed based on NAB's limitations.

Discussion was held.

The committee agreed with the language as presented.

R 339.14017 Application for initial nursing home administrator license; requirements.

Subdivision (c)(i): Marks stated that this subdivision may change based on any changes made to R 339.14012. This will be discussed at the next Rules Committee Work Group meeting.

R 339.14020 Relicensure.

Subdivision (1)(a)(iv): Marks stated that the department asked for clarification if the board intended to require retaking of the examination as a requirement of relicensure.

Patrick suggested that the examination only be required if license has been lapsed for five years or more.

Wysack asked if the committee knew if the ability to retake the examination was an option with NAB.

Discussion was held.

The committee agreed to require the examination to have been taken within two years of the date of the application, if allowed by NAB.

Subdivision (1)(a)(vi): Marks stated that this was new language for all health professional rules, regarding the disclosure of discipline in other states.

The committee agreed with the language as presented.

Subrule (2): Marks stated this was new language for all health professional rules, regarding the discovery of undisclosed discipline in other states after relicensure is granted.

The committee agreed with the language as presented.

R 339.14020a Licensure by endorsement.

Subdivision (4)(i): Marks stated that this was new language for all health professional rules, regarding the disclosure of discipline in other states.

The committee agreed with the language as presented.

Subrules (2) and (3): The committee discussed the need for the examination as a requirement of endorsement.

Marks stated that NAB would be presenting the NAB HSE at the upcoming board meeting on March 7, 2023, and that it could be used as a possible option for endorsement.

The rules committee agreed to discuss the NAB HSE at the next Rules Committee Work Group meeting.

Part 3. Continuing Education and License Renewal

Marks stated that the title of this section changed for organization purposes.

The committee agreed with the language as presented.

R 339.14021 License renewal; continuing education requirements; limitations. documentation; waiver.

Subrule (1): Marks stated that this was added to include the sections of the Public Health Code General Rules that require implicit bias training.

Discussion held as to whether implicit bias training should also count toward continuing education.

The committee agreed with the language presented as well as the change to R 339.14032 (g).

Part 4 Continuing Education

Marks stated that this part was rescinded due to reorganization of rules.

The committee agreed with the language as presented.

R 339.14026 Approved continuing education courses.

Marks stated that language was added based on what the board has approved over the last couple of years.

Prince stated that the board should still approve continuing education but change the 120 day timeframe for submission.

Marks suggested removing board approval and only allowing for credit to be allowed when earned through a college, university, or NAB.

Wysack stated that few health boards do board approved continuing education. She explained the difficulty in the timeframe that is currently required in the rules. If the rules committee still wanted the board to approve continuing education, she suggested shortening the timeframe to 70 days.

Discussion was held.

The committee agreed to remove board approved continuing education and require courses to be taken through a college, university, or NAB.

ADJOURNMENT

Marks stated that another committee meeting would be needed to continue to work on the proposed draft rules.

Marks adjourned the meeting at 10:30 a.m.

Prepared by:
Stephanie Wysack, Board Support Technician
Bureau of Professional Licensing

March 7, 2023

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

NURSING HOME ADMINISTRATORS

GENERAL RULES

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16178, 16287, and 17309 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16178, 333.16287, and 333.17309 and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 339.14001, R 339.14011, R 339.14012, R 339.14020, R 339.14020a, R 339.14026, R 339.14032 of the Michigan Administrative Code are amended, R 339.14005, R 339.14007, R 339.14008, R 339.14009, R 339.14022, R 339.14024, R 339.14024a, R 339.14026a, and R 339.14029 are rescinded, and R 339.14006, R 339.14014, R 339.14017, and R 339.14021 are amended, as follows:

PART 1. GENERAL PROVISIONS

R 339.14001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Accredited institution" means a college or university that meets the standards set forth in ~~R 339.14005~~**339.14011**.

(b) "Board" means the Michigan board of nursing home administrators.

(c) **"CHEA" means the council of higher education accreditation.**

(d) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

~~(de)~~ "Department" means the department of licensing and regulatory affairs.

~~(ef)~~ "Life Safety Code" means the National Fire Protection Association 101 Life Safety Code, **2018 edition**.

(g) **"MDHHS" means the Michigan department of health and human services.**

(h) **"NAB" means the National Association of Long Term Care Administrator Boards.**

(i) **"NAB CORE" means the NAB's CORE: General Knowledge Examination for Long Term Care Administrators.**

(j) “NAB NHA LOS” means the NAB’s NHA: Nursing Home Administrators Line of Service Exam.”

~~(f) "Sponsor" means a person or an organization offering continuing education courses relating to the practice of nursing home administration.~~

(2) The terms defined in the code have the same meanings when used in these rules.

~~PART 2. EDUCATION~~

~~R 339.14005 Accreditation standards; adoption by reference. Rescinded.~~

~~Rule 5. (1) The department, in consultation with the board, adopts by reference the procedures and criteria for recognizing accrediting organizations of the council of higher education accreditation (CHEA), effective September 24, 2018, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in 34 CFR part 602 (2010). The CHEA recognition standards may be obtained from the council’s website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained at no cost from the United States Department of Education’s website at: <http://www.ed.gov>.~~

~~(2) Copies of the standards and criteria recognizing accrediting agencies used by CHEA and the department of education are available for inspection and distribution at cost of 10 cents per page from the Board of Nursing Home Administrators, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.~~

339.14006 Training standards for identifying victims of human trafficking; requirements.

Rule 6. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure or who is licensed or registered shall have completed training in identifying victims of human trafficking that meets the following standards:

(a) Training content must cover all of the following:

(i) Understanding the types and venues of human trafficking in the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the board for initial licensure or registration, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training may include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The self-certification statement must include the individual's name and 1 of the following:

(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of the article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

R 339.14007 ~~Approved course of instruction and training.~~ **Rescinded.**

~~Rule 7. The department, in consultation with the board, approves a course of instruction and training that meets all of the following:~~

~~—(a) Complies with section 17309(2) of the code, MCL 333.17309(2).~~

~~—(b) Includes, at a minimum, a total of 9 semester credits or 144 clock hours of instruction. The instruction provided shall include all of the following subjects:~~

~~—(i) Administrative management of a nursing home.~~

~~—(ii) Human resources management in a nursing home.~~

~~—(iii) Financial management of a nursing home.~~

~~—(iv) State and federal laws and regulations regarding the nursing home industry, operation of a nursing home, emergency preparedness, including Medicare and Medicaid provider compliance with the requirements of the Life Safety Code, and the protection of patients' health, safety, and welfare in a nursing home.~~

~~—(v) Gerontology or the aging process.~~

~~—(vi) Identification of elder abuse and neglect.~~

~~—(c) Is offered by an accredited institution that meets the standards in R 339.14005.~~

PART 3. LICENSURE

R 339.14008 ~~Application for nursing home administrator license; requirements.~~ **Rescinded.**

~~Rule 8. (1) The department shall issue a nursing home administrator license to an applicant who, in addition to satisfying the requirements of the code, satisfies all of the following:~~

~~—(a) Submits a completed application on a form provided by the department.~~

~~—(b) Pays the required fee to the department.~~

~~—(c) Complies with either of the following:~~

~~—(i) Completed a course of instruction and training that meets the requirements of R 339.14007.~~

(ii) ~~Had been employed as a chief executive or administrative officer at a state-licensed hospital for not less than 5 of the 7 years immediately preceding the date of applying for a nursing home administrator license, as provided in section 17309(3) of the code, MCL 333.17309.~~

~~(2) In addition to meeting the requirements of subrule (1) of this rule, an applicant shall, within 2 years after the date of the application, pass both of the following examinations:~~

~~—(a) The National Association of Long-term Care Administrator Board's (NAB) Core of Knowledge Examination for Long-Term Care Administrators (CORE) administered by the professional examination service of the NAB or its successor organization, pursuant to R 339.14011.~~

~~—(b) The NAB National Nursing Home Administrators Line of Service Examination (NHA LOS) administered by the professional examination service of the NAB or its successor organization, pursuant to R 339.14011.~~

~~(3) An applicant may sit for the CORE and the NHA LOS examinations a maximum of 4 times each.~~

R 339.14009 Eligibility for examinations. ~~Rescinded.~~

~~Rule 9. (1) An applicant may take the CORE and the NHA LOS examinations required under R 339.14008(2) after the applicant has received authorization from the department to take the examinations.~~

~~(2) The department shall authorize the applicant to take the examinations when it has received the required fee and a completed application on a form provided by the department and either of the following:~~

~~—(a) Documentation sent directly to the department from an accredited institution verifying that the applicant has met the educational requirements specified in R 339.14008(1)(c)(i).~~

~~—(b) Documentation sent directly to the department that the applicant has met the employment requirements specified in R 339.14008(1)(c)(ii).~~

PART 2. EDUCATION, EXAMINATIONS, AND LICENSURE

R 339.14011 ~~Passing examination scores.~~ Accreditation standards; adoption by reference.

~~Rule 11. The passing score for the CORE and for the NHA LOS examinations is the passing score recommended by the NAB.~~

(1) The department, in consultation with the board, adopts by reference the standards and procedures for recognition of accrediting organizations of CHEA, effective January 1, 2022, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2020, as contained in 34 CFR part 602 (2022). The CHEA recognition standards may be obtained from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained at no cost from the United States Department of Education's website at: <http://www.ed.gov>.

(2) Copies of the standards and criteria recognizing accrediting agencies used by CHEA and the department of education are available for inspection and

distribution at cost of 10 cents per page from the Board of Nursing Home Administrators, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

R 339.14012 ~~Training standards for identifying victims of human trafficking; requirements.~~ **Approved course of instruction and training.**

Rule 12. The department, in consultation with the board, approves a course of instruction and training that meets all of the following:

- (a) Complies with section 17309(2) of the code, MCL 333.17309(2).
- (b) Includes, at a minimum, a total of 9 semester credits or 144 clock hours of instruction. The instruction provided shall include all of the following subjects:
 - (i) Administrative management of a nursing home.
 - (ii) Human resources management in a nursing home.
 - (iii) Financial management of a nursing home.
 - (iv) State and federal laws and regulations regarding the nursing home industry, operation of a nursing home, emergency preparedness, including Medicare and Medicaid provider compliance with the requirements of the Life Safety Code, and the protection of patients' health, safety, and welfare in a nursing home.
 - (v) Gerontology or the aging process.
 - (vi) Identification of elder abuse and neglect.
- (c) Is offered by an accredited institution that meets the standards in R 339.14011.
 - ~~(a) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall complete training in identifying victims of human trafficking that meets the following standards:~~
 - ~~— (a) Training content must cover all of the following:~~
 - ~~— (i) Understanding the types and venues of human trafficking in Michigan or the United States.~~
 - ~~(ii) Identifying victims of human trafficking in health care settings.~~
 - ~~(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.~~
 - ~~(iv) Resources for reporting the suspected victims of human trafficking.~~
 - ~~— (b) Acceptable providers or methods of training include any of the following:~~
 - ~~— (i) Training offered by a nationally recognized or state recognized, health-related organization:~~
 - ~~(ii) Training offered by, or in conjunction with, a state or federal agency.~~
 - ~~(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.~~
 - ~~(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.~~
 - ~~— (c) Acceptable modalities of training include any of the following:~~
 - ~~— (i) Teleconference or webinar.~~
 - ~~(ii) Online presentation.~~
 - ~~(iii) Live presentation.~~
 - ~~(iv) Printed or electronic media.~~

~~(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:~~

~~—(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.~~

~~—(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:~~

~~—(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.~~

~~(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.~~

~~(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply to all license renewals and for initial licenses issued on or after March 17, 2021.~~

R 339.14014 Examination approval and adoption; passing score; limitations.

Rule 14. (1) The board approves and adopts the NAB CORE and the NAB NHA LOS examinations developed, administered, and scored by the NAB or its successor organization.

(2) The accepted passing score for the NAB CORE and the NAB NHA LOS examinations is the passing score established by the NAB or its successor.

(3) An applicant may retake the NAB CORE and the NAB NHA LOS in compliance with the limitations established by the NAB or its successor organization.

R 339.14017 Application for initial nursing home administrator license; requirements.

Rule 17. The department shall issue a nursing home administrator license to an applicant who, in addition to satisfying the requirements of the code and administrative rules, satisfies all of the following:

(a) Submitted a completed application on a form provided by the department.

(b) Paid the required fee to the department.

(c) Complied with either of the following:

(i) Has completed a course of instruction and training that meets the requirements of R 339.14012.

(ii) Has been employed as a chief executive or administrative officer at a state-licensed hospital for not less than 5 of the 7 years immediately preceding the date of applying for a nursing home administrator license, as provided in section 17309(3) of the code, MCL 333.17309.

(d) Passed both of the following examinations:

(i) The NAB CORE administered by the professional examination service of the NAB or its successor organization.

(ii) The NAB NHA LOS administered by the professional examination service of the NAB or its successor organization.

R 339.14020 Relicensure.

Rule 20. **(1)** An applicant for relicensure whose Michigan license has lapsed, under the provisions of 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements as noted by (√):

(1)(a) An applicant who has let his or her whose Michigan license has lapse lapsed and who does not hold a current and valid nursing home administrator license in another state of the United States or province of Canada:	Lapsed 0-3 Years.	Lapsed More than 3 Years.
(a) (i) Submits a completed application on a form provided by the department, together with the requisite fee.	√	√
(b) (ii) Establishes that the applicant is of good moral character.		√
(c) (iii) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√
(d) (iv) Passed the NAB CORE and the NAB NHA LOS examinations within 2 years of application for relicensure.		√
(e) (v) Completed 36 hours of approved continuing education credits as required by R 339.14022 and R 339.14024 339.14021 during the 2 years immediately preceding the application for relicensure.	√	√
(f) (vi) If applicable, provide proof of any nursing home administrator license previously held: An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. An applicant's nursing home administrator license in good standing must be verified by the	√	√

licensing agency of any state of the United States or province of Canada in which the applicant has ever held a nursing home administrator license.		
Verification must include the record of any disciplinary action taken or pending against the applicant.		

(2)(b) An applicant who has let his or her Michigan license lapse and who is currently licensed or registered in another state of the United States or province of Canada may be relicensed under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies all of the following:	Lapsed 0-3 Years.	Lapsed More than 3 Years.
(a)(i) Submits a completed application on a form provided by the department, together with the requisite fee.	√	√
(b)(ii) Establishes that the applicant is of good moral character.		√
(c)(iii) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√
(d)(iv) Completed 36 hours of approved continuing education credits as required by R 339.14022 and R 339.14024 339.14021 during the 2 years immediately preceding the application for relicensure.	√	√
(e) Provides proof of a current and valid nursing home administrator license: (v) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. An applicant's nursing home administrator	√	√

license in good standing must be verified by the licensing agency of any state of the United States or province of Canada in which the applicant holds or has ever held a nursing home administrator's license. Verification must include the record of any disciplinary action taken or pending against the applicant.		
--	--	--

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 339.14020a Licensure by endorsement.

Rule 20a. (1) An applicant for a nursing home administrator license by endorsement, in addition to meeting the requirements of the code and these rules, shall submit the required fee and a completed application on a form provided by the department.

(2) If an applicant has been registered or licensed as a nursing home administrator in 1 or more state for 5 years or more immediately preceding the date of filing an application for a Michigan nursing home administrator license, then the applicant is presumed to meet the requirements of section 16186(1)(b) of the code, MCL 333.16186.

(3) If an applicant has been registered or licensed as a nursing home administrator in 1 or more state for less than 5 years immediately preceding the date of filing an application for a Michigan nursing home administrator license, then the applicant shall meet the requirements for initial licensure as specified in R 339.14008 **339.14017**.

(4) **Additionally, An the applicant shall have his or her license or registration in good standing verified by the licensing agency of any state of the United States in which the applicant holds or ever held a license or registration as a nursing home administrator. Verification must include the record of any disciplinary action taken or pending against the applicant. comply with both of the following:**

(i) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(ii) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

PART 3. CONTINUING EDUCATION AND LICENSE RENEWAL

R 339.14021 License renewal; continuing education requirements; limitations. documentation; waiver.

Rule 22. (1) An applicant for license renewal shall satisfy the requirements of the Public Health Code General Rules, R 338.7001 to R 338.7005 and shall accumulate

not less than 36 hours of continuing education credits approved by the board during each license cycle.

(2) A minimum of 16 of the required continuing education hours per license cycle must be completed in a live or live, synchronous format.

(3) A minimum of 2 continuing education credit hours must be earned in pain and symptom management during each renewal cycle, as required under section 16204 of the code, MCL 333.16204.

(4) A minimum of 1 continuing education credit hour must be earned in state specific laws and regulations pertaining to licensed nursing home and nursing care facilities during each renewal cycle.

(5) A licensee's renewal submission is the certification that he or she has accumulated the required continuing education during the preceding 2-year licensing cycle. The department may select and audit a sample of renewal applications and request a licensee to produce documentation proving that the licensee complied with the continuing education requirements.

(6) The licensee shall retain documentation of the approved continuing education credit hours earned for a period of 4 years after renewal of the license.

(7) The continuing education credit hours earned during 1 renewal cycle shall not be carried forward to the next renewal cycle. A licensee shall not earn continuing education credit for completing the same course twice within the same renewal cycle.

(8) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department at least 30 days before the last regularly scheduled board meeting before the expiration date of the license.

PART 4. CONTINUING EDUCATION

~~R 339.14022 Required continuing education; certification; documentation. Rescinded.~~

~~R 339.14022 Required continuing education; certification; documentation.~~

~~Rule 22. (1) A licensee shall accumulate not less than 36 hours of continuing education credits during each license cycle from courses approved pursuant to R 339.14026 or R 339.14026a.~~

~~(2) A licensee's renewal submission is the certification that he or she has accumulated 36 hours of continuing education during the preceding, 2 year licensing cycle.~~

~~(3) The board may require an applicant or licensee to submit evidence to demonstrate compliance with this rule.~~

~~(4) The licensee shall retain documentation of the approved continuing education credit hours earned for a period of 4 years after renewal of the license.~~

~~(5) The department may select and audit a sample of renewal applications and request a licensee to produce documentation proving that the licensee complied with continuing education requirement in subrule (1) of this rule.~~

~~(6) The department shall receive a request for a waiver under section 16205 of the code, MCL 333.16205, before the expiration date of the license.~~

R 339.14024 ~~Credits earned; limit on distance learning credits; required credits.~~**Rescinded.**

~~Rule 24. (1) As used in this rule, "participation" means education time, exclusive of any break.~~

~~(2) One continuing education credit hour is earned for each 50 to 60 minutes of participation in an approved continuing education course. After completion of the initial 60 minutes, continuing education credit may be earned in tenth of an hour increments for each additional 6 minutes of participation in an approved continuing education course.~~

~~(3) Fifteen continuing education credit hours are earned for each semester credit hour earned from an accredited college or university.~~

~~(4) Ten continuing education credit hours are earned for each academic quarter credit hour earned from an accredited college or university.~~

~~(5) A maximum of 20 continuing education credit hours may be earned through online or electronic media, such as videos, internet web-based seminars, video conference, online continuing education programs, or through any other media that do not permit live interaction between the presenter and the licensee.~~

~~(6) A minimum of 2 continuing education credit hours must be earned in pain and symptom management during each renewal cycle, as required under section 16204 of the code, MCL 333.16204.~~

~~(7) A minimum of 1 continuing education credit hour must be earned in state specific laws and regulations pertaining to licensed nursing home and nursing care facilities during each renewal cycle.~~

R 339.14024a ~~Carry over credit; duplicate continuing education credit; limitation.~~**Rescinded.**

~~Rule 24a. (1) The continuing education credit hours earned during 1 renewal cycle shall not be carried forward to the next renewal cycle.~~

~~(2) A licensee shall not earn continuing education credit for completing the same course twice within the same renewal cycle.~~

R 339.14026 Approved continuing education courses.

Rule 26. If a continuing education course covers a qualifying subject specified in R 339.14032, the following continuing education courses are approved by the board:

(a) A **continuing education** course approved by the NAB.

(b) ~~A~~ **An academic or continuing education** course offered by a college or university that meets the accreditation standards adopted in R 339.14005 **339.14011**.

R 339.14026a ~~Application for board approval of continuing education course.~~**Rescinded.**

~~Rule 26a. (1) If a continuing education course is not approved pursuant to R 339.14026, the sponsor of the course may seek board approval by complying with both of the following:~~

~~(a) Completing and submitting an application on the form provided by the department not less than 120 days before the first date of instruction.~~

~~(b) Submitting with the application all of the following materials:~~

~~-(i) A detailed course outline that must include the length of time designated for each topic.~~

~~-(ii) A list of instructional materials.~~

~~-(iii) A copy of each instructor's résumé.~~

~~-(iv) A description of the methodology to be used to monitor and verify attendance and the sponsor's policy for retention of documents verifying course completion.~~

~~-(v) A written policy describing the sponsor's refund policy.~~

~~-(2) If the sponsor of the course is seeking approval for credits that may be used to satisfy the pain and symptom management continuing education required by R 339.14024(6), the board may approve credit or credits that could be applied toward that requirement based on the length of time the topic will be covered in the course.~~

~~-(3) At the conclusion of each board approved course, the sponsor of the course shall award to each participant a certificate or written evidence of attendance that indicates all of the following:~~

~~—(a) The participant's name.~~

~~—(b) The date the course was offered.~~

~~—(c) The location of where the course offered.~~

~~—(d) The sponsor approval number.~~

~~—(e) The number of hours of continuing education earned.~~

~~—(f) If applicable, the hours of continuing education earned that may satisfy the pain and symptom management continuing education required by R 339.14024(6).~~

~~-(4) The sponsor of the course shall maintain attendance records for 4 years from the date of the course.~~

~~-(5) The board shall not approve any application that was filed after the first date of instruction.~~

~~R 339.14029 Withdrawal of board approval of continuing education course. **Rescinded.**~~

~~Rule 29. Approval of a continuing education course may be withdrawn by the board for failure to comply with the requirements of R 339.14026a.~~

R 339.14032 Qualifying continuing education subjects.

Rule 32. One or more qualifying subjects shall be covered in a course for the participant to receive continuing education credit. Qualifying subjects are those that contribute to the professional competency of a licensee, including 1 or more of the following:

(a) Behavioral science.

(b) Economics, finance, marketing, or management. **Communications or information technology.**

(c) Geriatrics, gerontology, or aging. **Economics, finance, marketing, or management.**

(d) Health care, patient care, or elder abuse and neglect identification. **Geriatrics, gerontology, or aging.**

(e) Pharmacology and toxicology. **Health care, patient care, or elder abuse and neglect identification.**

(f) Human resources.

(g) State and federal laws and regulations regarding the nursing home industry. **Implicit bias training.**

- (h) ~~Communications or information technology.~~ **Pain and symptom management.**
- (i) ~~Pain and symptom management.~~ **Pharmacology and toxicology.**
- (j) **State and federal laws and regulations regarding the nursing home industry.**

DRAFT